

mon School District No. 1 in Atascosa county, Texas, and defining its boundaries, etc., and declaring an emergency."

H. B. No. 602, A bill to be entitled "An Act creating the Buna Independent School District known as Common School District No. 13, in Jasper county, Texas, and defining its boundaries, etc., and declaring an emergency."

H. B. No. 574, A bill to be entitled "An Act to amend Section 2 of an act creating the Jourdan Independent School District in Atascosa county, Texas, being Chapter 79 of the Thirty-second Legislature of Texas, increasing the territory of said district; to amend Section 8 of said act, providing for the appointment of an assessor and collector for said district; to amend Section 23 of said act providing for the appointment of a board of equalization and prescribing its powers and duties; to amend Section 24 of said act regulating the time of payment of taxes, and declaring an emergency."

H. B. No. 517, A bill to be entitled "An Act to amend Article 1142 (1097) of the Code of Criminal Procedure of the State of Texas, relating to the allowance to sheriffs for the safekeeping, support and maintenance of prisoners confined in jail or under guard, and amount of charges to be allowed therefor, and repealing all laws and parts of laws and provisions in laws in conflict herewith, and declaring an emergency."

H. B. No. 389, A bill to be entitled "An Act to amend Article 1210, Chapter 1, Title 17, of the Penal Code of Texas, relating to the offense 'arson.'"

H. B. No. 443, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, of the Revised Statutes of Texas of 1911, and to amend Chapter 72, House bill No. 827, General Laws of the Thirty-third Legislature, page 131, and to amend Chapter 99, House bill No. 418, General Laws of the Thirty-fourth Legislature, page 152, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include El Paso county, and declaring an emergency."

H. B. No. 227, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being known and published as an act to amend Section 2 of Chapter 42 of the General Laws of the Thir-

tieth Legislature, relating to exemptions from the operation of what is known as the 'Anti-Pass Law,' so as to include among said exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work and all city fire marshals, while traveling to and from their State and district conventions,"

And find them correctly engrossed.

RUSSELL, Vice-Chairman.

TWENTY-EIGHTH DAY.

(Thursday, February 15, 1917.)

The House met at 9 o'clock a. m., pursuant to adjournment.

(Speaker in the chair.)

The roll was called, and the following members were present:

Bagby.	Fly.
Baker.	Greenwood.
Beard of Harris.	Haidusek.
Beard of Milam.	Hardey.
Beasley.	Harris.
Beason.	Hartman.
Bedell.	Hawkins.
Bell.	Hill.
Bertram.	Hudspeth.
Blackburn.	Johnson.
Blackmon.	Laas.
Blalock.	Lacey.
Bland.	Laney.
Bledsoe.	Lange.
Boner.	Lanier.
Brown.	Lee.
Bryan.	Lindemann.
Bryant.	Lowe.
Burton of Rusk.	of McMullen.
Burton of Tarrant.	Low.
Butler.	of Washington.
Cadenhead.	McComb.
Canales.	McCoy.
Carlock.	McDowra.
Cates.	McFarland.
Clark.	McMillin.
Cope.	Martin.
Cox.	Meador.
Crudgington.	Mendell.
Davis of Dallas.	Metcalfe.
Davis.	Miller of Austin.
of Van Zandt.	Miller of Dallas.
Denton.	Monday.
Dodd.	Moore.
Dudley.	Morris.
Dunnam.	Murrell.
Estes.	Neeley.
Fairchild.	Neill.
Fisher.	Nichols.
Fitzpatrick.	Nordhaus.
Florer.	O'Banion.

O'Brien.	Templeton.
Osborne.	Terrell.
Parks.	Thomas.
Peddy.	Thomason
Peyton.	of El Paso.
Pillow.	Thomason
Poage.	of Nacogdoches.
Pope.	Thompson
Raiden.	of Hunt.
Reeves.	Thompson
Richards.	of Red River.
Robertson.	Tillotson.
Roemer.	Tilson.
Rogers.	Tinner.
Russell.	Trayler.
Sackett.	Tschoepe.
Sallas.	Upchurch.
Sentell.	Valentine.
Schlesinger.	Veatch.
Schlosshan.	Wahrmund.
Scholl.	Walker.
Seawright.	White.
Sholars.	Williams
Smith of Hopkins.	of Brazoria.
Smith of Scurry.	Williams
Spencer of Nolan.	of McLennan.
Spencer of Wise.	Williford.
Spradley.	Wilson.
Stewart.	Woods.
Strayhorn.	Woodul.
Swope.	Yantis.
Taylor.	

Absent.

Holland.

Absent—Excused.

Davis of Grimes.	Jones.
De Bogory.	Smith of Bastrop.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Thomas, for last Saturday, Monday and Tuesday, on motion of Mr. Blacklock.

Mr. Jones, for today, on motion of Mr. Thompson of Red River.

The following members were granted leaves of absence on account of sickness:

Mr. Smith of Bastrop, for today, on motion of Mr. Crudginton.

Mr. Davis of Grimes, for today, on motion of Mr. Neeley.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read

severally first time; and referred to the appropriate committees, as follows:

By Mr. Pope:

H. B. No. 681; A bill to be entitled "An Act to authorize the city council, board of aldermen, or other governing body of any city or town in this State, whether operating under special charter or the general law, to appropriate at the end of each fiscal year, so much of the net revenues of any waterworks system or other public utility system, service or enterprise owned by said city or town as such body shall deem to the best interest of said city or town, to the payment of the sinking fund and interest on the bonded indebtedness of such system, service or enterprise; such sum so appropriated to be used for no other purpose; providing for the levy of a tax for raising such sinking fund and interest where such appropriation is insufficient as herein provided, and declaring an emergency."

Referred to Committee on Municipal Corporations.

By Mr. McCoy:

H. B. No. 682, A bill to be entitled "An Act to amend Article 936 of Chapter 1, Title 14, of the Revised Criminal Statutes of Texas, 1911; making forgery where the amount of value mentioned in the instrument is of less value than twenty dollars a misdemeanor; providing where the amount or value mentioned in the instrument is greater than twenty dollars the same shall be a felony, and providing a penalty therefor."

Referred to Committee on Criminal Jurisprudence.

By Mr. Woodul:

H. B. No. 683, A bill to be entitled "An Act making an appropriation for the purchase of medals of appropriate design to be presented to the members of the National Guard from Texas, now in service on the border, or who have been honorably discharged from such service; designating the Governor and Adjutant General as a commission to purchase and present such medals, and declaring an emergency."

Referred to Committee on Military Affairs.

By Mr. Miller of Dallas, Mr. Florer, Mr. Davis of Dallas, Mr. Parks, Mr. Lange, Mr. Nordhaus, Mr. Mendell and Mr. Yantis:

H. B. No. 684, A bill to be entitled "An Act to amend Article 5598 of the

Revised Civil Statutes of the State of Texas of 1911, Title 84, Chapter 1, by providing that nothing in said title shall be construed to take away any now or heretofore existing defense to a civil action for libel, and preserving all such defenses."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Miller of Dallas, Mr. Florer, Mr. Davis of Dallas, Mr. Laney, Mr. Lange, Mr. Parks, Mr. Nordhaus, Mr. Mendell and Mr. Yantis:

H. B. No. 685, A bill to be entitled "An Act to amend Article 5597 of Chapter 1, Title 84, of the Revised Civil Statutes of Texas of 1911, so as to make privileged, without proof of actual malice, fair, true and impartial accounts of all executive and legislative proceedings, including all reports and proceedings in or before legislative committees, boards of managers of public educational and eleemosynary institutions, city councils and other governing bodies of cities or towns, commissioners courts and boards of trustees of public schools."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Miller of Dallas, Mr. Florer, Mr. Davis of Dallas, Mr. Laney, Mr. Parks, Mr. Lange, Mr. Nordhaus, Mr. Mendell and Mr. Yantis:

H. B. No. 686, A bill to be entitled "An Act to fix the venue of suits for damages for libel and slander."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Mendell and Mr. Robertson:

H. B. No. 687, A bill to be entitled "An Act granting to the city of Austin, for public purposes only, certain land lying between the Colorado river and outlots 1 and 11, in division 'Z,' in the city of Austin, Texas, upon certain terms and conditions; recognizing the lease heretofore made by the State of Texas of said land for the term thereof; providing for the forfeiture of said land to the State of Texas if used for other purposes than public purposes, and declaring an emergency."

Referred to Committee on Public Buildings and Grounds.

By Mr. Denton and Mr. Dudley:

H. B. No. 688, A bill to be entitled "An Act to amend Article 6096, Chapter 1, Title 101, of the Revised Civil Statutes of the State of Texas, pertaining to partitions."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Schlesinger:

H. B. No. 689, A bill to be entitled "An Act creating the office of grand jury stenographer, and providing compensation therefor."

Referred to Committee on Criminal Jurisprudence.

By Mr. Cates:

H. B. No. 690, A bill to be entitled "An Act to create the Liberty Hill Independent School District in Williamson county, Texas, including the present Liberty Hill district of said county, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Poage and Mr. Tillotson:

H. B. No. 691, A bill to be entitled "An Act to amend Articles 628 and 632 of Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas (1911 compilation), said chapter being Chapter 7 of the General Laws of the First Called Session of the Thirty-first Legislature, 1909, entitled 'An Act to authorize any county or political subdivision or other defined district of the county, upon a vote of two-thirds majority of the resident property tax paying voters thereof who are qualified electors of such county or political subdivision or defined district of the county or political subdivision or defined district of the county to issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision or defined district thereof, etc.,' and to add to said chapter Articles 637a, 637b, 637c, 637d, 637e, and 637f, providing that in any county wherein a road district or road districts have been formed or may hereafter be formed and have issued bonds for the purpose of constructing public roads, the commissioners court of the county shall, upon petition, submit to the qualified voters of the county the proposition as to whether or not bonds shall be issued for the purpose of purchasing or taking over the improved roads already constructed in said road district or districts and of further constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes throughout such county, requiring the commissioners court to set apart from such county issue bonds in sufficient amount to retire all outstanding district bonds and prescribing the methods therefor either by exchange

with the holder or holders of said district bonds or by depositing county bonds to the credit of such district or districts, providing for levy and collection of taxes for said county bonds and dispensing with taxes for said district bonds, authorizing the necessary adjustment of sinking funds, providing for the issuance and sale of county bonds in excess of the amount needed to retire the district bonds and for expenditure of funds thus realized, prohibiting the overlapping of road districts or subdivisions of a county, providing for the proper investment of the sinking funds of road bonds, declaring the interest arising from any such investment shall become a part of the sinking fund and prohibiting the diversion of said interest and said sinking fund for any other purpose, making the same a criminal offense, and providing suitable punishment therefor, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Mendell:

H. B. No. 692, A bill to be entitled "An Act amending Article 167, Title 10, Chapter 2, of the Revised Civil Statutes of 1911 of the State of Texas, providing for the treatment at the expense of the State of all indigent persons afflicted with hydrophobia; and providing for the treatment at the expense of the patient of all non-indigent persons so afflicted, and providing that the counties in which indigent persons so afflicted reside shall pay the expenses of such persons to and from Austin, as well as the necessary living expenses incurred by said persons while in Austin undergoing said treatment."

Referred to Committee on Public Health.

By Mr. Thomas and Mr. Valentine:

H. B. No. 693, A bill to be entitled "An Act to amend Sections 4, 5, 6, 7, 8, 9, 10 and 11 of an act to provide a special road law for Denton county, Texas, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Pope:

H. B. No. 694, A bill to be entitled "An Act to aid the city of Corpus Christi in elevating and raising a portion of said city and building a sea wall or breakwater so as to protect it from calamitous overflows, by donating to it the ad valorem taxes collected on prop-

erty and from persons in Nueces county for a period of fifteen years, and to provide a penalty for their misapplication, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Woods, Mr. Upchurch and Mr. Williford:

H. B. No. 695, A bill to be entitled "An Act to amend Articles 1954, 1970, 1971, 1973, 1974 and 2061 of the Revised Statutes of the State of Texas, 1911, as amended by Chapter 59 of the General Laws of the Thirty-third Legislature, and also amending Article 1984a added by that chapter, relating to the time and manner of submitting instructions to the jury, and repealing all laws and parts of laws in conflict herewith."

Referred to Judiciary Committee.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House joint resolution was laid before the House, read first time, and referred to the Committee on Constitutional Amendments:

By Mr. Dunnam:

H. J. R. No. 37, A resolution proposing and submitting to a vote of the people of the State of Texas an amendment to Section 1, Article 8, of the Constitution of the State of Texas, relating to taxation and revenue; providing for proclamation by the Governor for submission of said constitutional amendment at the general election to be held in November, 1918, and providing the ballot therefor, and making an appropriation to defray the expenses for the holding of said election.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 325, to the Committee on Judicial Districts.

Senate bill No. 360, to the Committee on Municipal Corporations.

Senate bill No. 264, to the Judiciary Committee.

Senate bill No. 265, to the Judiciary Committee.

Senate bill No. 324, to the Committee on Roads, Bridges and Ferries.

RELATING TO SENATE AND HOUSE
BILLS ON SAME SUBJECT.

Mr. Peyton offered the following resolution:

Resolved, That where Senate bills on today's calendar have not been printed, those having such bills in charge shall now announce the House bills corresponding to such Senate bills.

The resolution was read second time and was adopted.

SENATE BILL NO. 100 ON PASSAGE
TO THIRD READING.

The Speaker laid before the House, as postponed business, on its passage to a third reading,

S. B. No. 100, A bill to be entitled "An Act to amend Article 1003, Article 1004 and Article 1005 of the Revised Civil Statutes of the State of Texas of 1911, relating to the condemnation by incorporated cities and towns and public utility companies or corporations of private property for opening or widening streets, avenues or alleys, or for the construction or extension of gas or electric light plants or waterworks, water mains, supply reservoirs or standpipes for waterworks or sewer, etc., and declaring an emergency."

The bill having been read second time on yesterday.

Mr. McMillin offered the following amendment to the bill:

Amend by striking out the words "electric plant" and "electric light plant" wherever they occur in the bill.

The amendment was adopted.

Mr. Beard of Harris offered the following amendment to the bill:

Amend the bill by striking out the enacting clause.

The amendment was adopted.

Mr. Baker moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 54 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 54, A bill to be entitled "An Act to create the Eighty-first Judicial District in the State of Texas, said district to be composed of the counties of Hall, Donley, Armstrong and Carson; to fix the jurisdiction of said district court in said district and the terms of court in said several counties in said

district, and providing for a judge thereof and a district attorney; reorganizing the Thirty-first, Forty-sixth and Forty-seventh Judicial Districts of Texas; fixing a time of holding court in the Thirty-first, Forty-sixth and Forty-seventh Judicial Districts; to provide that all cases now on the dockets of counties of the district courts of Hall, Donley, Armstrong and Carson counties be transferred to the dockets of the Eighty-first Judicial District created by this act; to provide that the district clerks and sheriffs elected in the counties of Hall, Donley, Armstrong and Carson and their successors in office be alike the officers of each of said district courts of said county; providing for the return of all process and validation of the same issued or to be issued by the courts of the Thirty-first, Forty-sixth and Forty-seventh Districts in the counties of Hall, Armstrong and Carson be returnable to the district court of the Eighty-first Judicial District; to provide for the appointment of the judge of said Eighty-first Judicial District and for the appointment of the district attorney for said Eighty-first Judicial District, and fixing their compensation, and declaring an emergency."

The bill was read third time.

On motion of Mr. Templeton, further consideration of the bill was postponed until next Wednesday, February 21.

SENATE BILL NO. 85 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 85, A bill to be entitled "An Act to amend Section 16 of Article 30 of Title 5 of the Revised Statutes of Texas of 1911, so as to declare what counties compose the Sixteenth Judicial District of Texas; to fix the time for holding court in the various counties of said district; to make the process issued or served before this act takes effect, including recognizances and bail bonds, returnable to the terms of court as herein fixed; to repeal all laws in conflict herewith, and declaring an emergency, and fixing a time for this act to take effect."

The bill was read third time and was passed.

SENATE BILL NO. 124 ON THIRD
READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 124, A bill to be entitled

"An Act to provide an appropriation for the maintenance and support of the Agricultural and Mechanical College of Texas in conformity to the provisions of an act passed by the Thirty-fourth Legislature, 'providing for the issuance of certain State bonds and authorizing the retirement of certain bonds of the State of Texas, etc.,' and declaring an emergency."

The bill was read third time and was passed.

SENATE BILL NO. 153 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 153, A bill to be entitled "An Act creating the Pleasanton Independent School District, covering the same territory heretofore known as Common School District No. 1, in Atascosa county, Texas; and defining its boundaries, etc. and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—121.

Bagby.	Fisher.
Baker.	Fitzpatrick.
Beard of Harris.	Florer.
Beard of Milam.	Fly.
Beasley.	Greenwood.
Bedell.	Haidusek.
Bell.	Hardey.
Bertram.	Harris.
Blackburn.	Hawkins.
Blackmon.	Hill.
Blalock.	Hudspeth.
Boner.	Johnson.
Brown.	Laas.
Bryan.	Laney.
Bryant.	Lange.
Burton of Rusk.	Lanier.
Burton of Tarrant.	Lee.
Butler.	Lindemann.
Cadenhead.	Lowe
Cates.	of McMullen.
Clark.	McComb.
Cope.	McCoy.
Cox.	McDowra.
Crudgington.	McFarland.
Davis of Dallas.	McMillin.
Davis	Martin.
of Van Zandt.	Meador.
De Bogory.	Mendell.
Denton.	Metcalf.
Dodd.	Miller of Austin.
Dudley.	Miller of Dallas.
Dunnam.	Monday.
Estes.	Moore.
Fairchild.	Morris.

Murrell.	Stewart.
Neeley.	Strayhorn.
Neill.	Swope.
Nichols.	Taylor.
Nordhaus.	Templeton.
O'Banion.	Terrell.
O'Brien.	Thomas.
Parks.	Thomason
Peddy.	of El Paso.
Peyton.	Thomason
Pillow.	of Nacogdoches.
Poage.	Thompson
Pope.	of Hunt.
Reeves.	Thompson
Richards.	of Red River.
Roemer.	Tillotson.
Rogers.	Tilson.
Russell.	Tinner.
Sackett.	Trayler.
Sallas.	Tschoepe.
Sentell.	Upchurch.
Schlesinger.	Veatch.
Scholl.	White.
Seawright.	Williams
Sholars.	of Brazoria.
Smith of Hopkins.	Williford.
Smith of Scurry.	Wilson.
Spencer of Nolan.	Woods.
Spencer of Wise.	Woodul.
Spradley.	Yantis.

Absent.

Beason.	Osborne.
Bland.	Raiden.
Bledsoe.	Robertson.
Canales.	Schlosshan.
Carlock.	Valentine.
Hartman.	Wahrmund.
Holland.	Walker.
Lacey.	Williams
Low	of McLennan.
of Washington.	

Absent—Excused.

Davis of Grimes. Smith of Bastrop.
Jones.

SENATE BILL NO. 165 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 165, A bill to be entitled "An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled 'An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston county for a period of fifteen years, and to provide a penalty for their

misapplication, by extending the provisions of said act for a period of ten years from September 1, 1918."

The bill was read third time and was passed.

Mr. Beason moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 226 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 226, A bill to be entitled "An Act to amend Section 19, Chapter 67, of the Regular Session of the Thirty-second Legislature, which was approved March 11, 1911, relating to the term of office of the criminal district attorney of Harris county, and to amend Section 22 of the act mentioned, as originally passed and as amended by Chapter 14 of the General Laws of the Regular Session of the Thirty-fourth Legislature, relating to the pay of the assistant criminal district attorneys of said county; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—113.

Mr. Speaker.	Estes.
Bagby.	Fairchild.
Beard of Harris.	Fisher.
Beard of Milam.	Fly.
Beasley.	Greenwood.
Beason.	Haidusek.
Bedell.	Hardey.
Bell.	Hartman.
Blackburn.	Hawkins.
Blackmon.	Hill.
Blalock.	Hudspeth.
Bland.	Johnson.
Boner.	Laas.
Brown.	Lacey.
Bryan.	Laney.
Burton of Rusk.	Lange.
Butler.	Lanier.
Cadenhead.	Lindemann.
Canales.	Lowe.
Cates.	of McMullen.
Clark.	McComb.
Cope.	McCoy.
Cox.	McDowra.
Crudgington.	McMillin.
Davis.	Martin.
of Van Zandt.	Meador.
De Bogory.	Mendell.
Denton.	Metcalf.
Dodd.	Miller of Austin.
Dudley.	Miller of Dallas.
Dunnam.	Monday.

Moore.	Spencer of Wise.
Morris.	Spradley.
Murrell.	Stewart.
Neeley.	Strayhorn.
Neill.	Swope.
Nichols.	Templeton.
Nordhaus.	Terrell.
O'Banion.	Thomas.
O'Brien.	Thomason
Parks.	of El Paso.
Peddy.	Thomason
Poage.	of Nacogdoches.
Pope.	Thompson
Reeves.	of Hunt.
Richards.	Tillotson.
Robertson.	Tilson.
Roemer.	Tinner.
Russell.	Tschoepe.
Sackett.	Upchurch.
Sallas.	Valentine.
Sentell.	Veatch.
Schlesinger.	Wahrmund.
Schlosshan.	Walker.
Scholl.	Williams
Seawright.	of McLennan.
Sholars.	Williford.
Smith of Hopkins.	Woods.
Smith of Scurry.	Woodul.
Spencer of Nolan.	

Nays—9.

Baker.	Taylor.
Bertram.	Trayler.
Davis of Dallas.	Wilson.
Lee.	Yantis.
Raiden.	

Present—Not Voting.

Rogers.

Absent.

Bledsoe.	McFarland.
Bryant.	Osborne.
Burton of Tarrant.	Peyton.
Carlock.	Pillow.
Fitzpatrick.	Thompson
Florer.	of Red River.
Harris.	White.
Holland.	Williams.
Low	of Brazoria.
of Washington.	

Absent—Excused.

Davis of Grimes.	Smith of Bastrop.
Jones.	

Mr. Fisher moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 243 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 243, A bill to be entitled

"An Act to validate all sales of public free school lands which were purchased from the State and fully paid for, which patents were signed by Governor J. S. Hogg on the 22nd and the 23rd days of October, 1894, and on the 30th day of November, 1894, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

Yeas and nays were demanded, and the bill was passed by the following vote:

Yeas—73.

Beard of Harris.	Miller of Dallas.
Beard of Milam.	Monday.
Beason.	Morris.
Bell.	Nichols.
Blackburn.	Nordhaus.
Boner.	O'Brien.
Brown.	Pillow.
Bryan.	Raiden.
Bryant.	Reeves.
Burton of Tarrant.	Robertson.
Canales.	Roemer.
Carlock.	Russell.
Clark.	Scholl.
Cox.	Seawright.
Crudgington.	Sholars.
Davis	Smith of Scurry.
of Van Zandt.	Spencer of Nolan.
De Bogory.	Spradley.
Fisher.	Stewart.
Fitzpatrick.	Swope.
Florer.	Templeton.
Greenwood.	Thomas.
Haidusek.	Thomason
Hardey.	of Nacogdoches.
Harris.	Thompson
Hartman.	of Red River.
Hill.	Tillotson.
Laas.	Tilson.
Lange.	Tschoepe.
Lowe	Valentine.
of McMullen.	Veatch.
Low	Wahrmund.
of Washington.	White.
McComb.	Williams
McCoy.	of Brazoria.
McFarland.	Williams
Martin.	of McLennan.
Mendell.	Wilson.
Metcalfe.	Woods.
Miller of Austin.	Woodul.

Nays—50.

Baker.	Cadenhead.
Beasley.	Cope.
Bedell.	Davis of Dallas.
Bertram.	Dodd.
Blackmon.	Dudley.
Blalock.	Estes.
Bland.	Fairchild.
Burton of Rusk.	Fly.
Butler.	Hawkins.

Hudspeth.	Sackett.
Johnson.	Sallas.
Lacey.	Sentell.
Lanier.	Smith of Hopkins.
Lee.	Spencer of Wise.
McDowra.	Taylor.
McMillin.	Terrell.
Meador.	Thomason
Murrell.	of El Paso.
Neeley.	Thompson
Neill.	of Hunt.
O'Banion.	Tinner.
Peddy.	Traylor.
Peyton.	Upchurch.
Poage.	Walker.
Richards.	Williford.
Rogers.	Yantis.

Absent.

Bagby.	Moore.
Bledsoe.	Osborne.
Cates.	Parks.
Denton.	Pope.
Dunnam.	Schlesinger.
Holland.	Schlosshan.
Laney.	Strayhorn.
Lindemann.	

Absent—Excused.

Davis of Grimes. Smith of Bastrop.
Jones.

Mr. Fisher moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 299 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, S. B. No. 299, A bill to be entitled "An Act to create and establish the county of Hudspeth out of a part of El Paso county; prescribing its area and boundaries; appointing commissioners to organize said county and prescribing their duties; providing for a division of said county into commissioners and justices precincts; providing for holding county and precinct elections for the election of county and precinct officers, and for holding an election for the purpose of locating the county seat of said county; providing for the attachment of said county to judicial, representative, senatorial, congressional and supreme judicial districts, and fixing the terms for holding district court in said county; providing for the assessment and collection of taxes, and for defraying the expenses of organizing said county and survey.

ing and fixing the boundaries, and providing for the payment of pro rata share of the debt of El Paso county, from which said county is taken; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

Mr. Dudley moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 148 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 148, A bill to be entitled "An Act to make an emergency appropriation to pay additional teachers during the remainder of the regular session of the North Texas State Normal College, and to supply an omission in the appropriation for the summer session of 1917."

The bill was read second time and was passed to a third reading.

SENATE BILL NO. 227 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 227, A bill to be entitled "An Act to amend Section 1, Chapter 147, Acts of the Thirty-third Legislature entitled 'An Act authorizing cities having more than five thousand inhabitants by a majority vote of the qualified voters of said city, at an election held for that purpose, to adopt and amend their charters, subject to such limitations as may be prescribed by the Legislature; and enumerating certain powers and providing that the same shall not be exclusive of other powers granted under Constitution and laws of this State; and providing the method by which said election may be held; and amending Article 812, of the Penal Code; and declaring an emergency,' and providing that said Section 1 of said act shall be amended so as to provide that cities and towns may at any time amend their charters for the purpose of levying, assessing and collecting taxes for the purpose of maintaining and carrying on their public free schools, and declaring an emergency."

The bill was read second time, and the

House refused to pass the bill to a third reading.

Mr. Carlock moved to reconsider the vote by which the House refused to pass the bill to a third reading, and asked to have the motion to reconsider spread upon the Journal.

SENATE BILL NO. 251 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 251, A bill to be entitled "An Act to create a more efficient road system for Live Oak county, Texas, and declaring an emergency."

The bill was read second time.

Mr. Russell offered the following amendments to the bill:

(1)

Amend Section 5 by striking out the word "five" in the last line and inserting in lieu thereof the word "seven."

(2)

Amend Section 13 by striking out the words "this act," in line 12, and inserting in lieu thereof the word "law."

(3)

Amend Section 20 by striking out the word "five" in the last line and inserting in lieu thereof the word "seven."

The amendments were adopted.

Senate bill No. 251 was then passed to a third reading.

RECALLING HOUSE BILL NO. 354 FROM THE SENATE.

Mr. Bryan offered the following privileged resolution:

Resolved, That the Senate be requested to return House bill No. 354 for correction.

The resolution was read second time and was adopted.

HOUSE BILL NO. 115 ON ENGROSSMENT.

(Unfinished Business.)

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 115, A bill to be entitled "An Act to amend Section 5 of an act entitled an act to create a State bonded warehouse system, and to afford a method of co-operative marketing for

those engaged in the production of farm and ranch products and for the purpose of effectuating this end, and creating a Board of Supervisors of Warehouses; defining the authority of said board and giving it power of visitation over the corporations chartered under the act, etc., and declaring an emergency."

The bill having been read second time on Tuesday, February 13, and Mr. Tillotson, on that day, having offered the (committee) amendments to the bill.

Question—Shall the (committee) amendments be adopted?

(Mr. Thomason of El Paso in the chair.)

On motion of Mr. Blalock, it was agreed to consider the (committee) amendment (1) section by section.

Section 1 of the (committee) amendment was read and was adopted.

Section 2 of the (committee) amendment was read.

Mr. Moore offered the following amendment to this section of the (committee) amendment:

Amend House bill No. 115, Section 2, so as to read as follows: "The administrative control of this act is vested in the Commissioner of Agriculture of the State of Texas, who shall formulate all necessary rules to fulfill the purposes of this act, which shall be administered by and under the direction of the Commissioner of Agriculture."

Mr. Cope raised a point of order on consideration of the amendment to the amendment on the ground that it is not germane to the purposes of the bill.

The Speaker overruled the point of order.

Mr. Fitzpatrick moved the previous question on the amendment to the (committee) amendment, and the main question was ordered.

(Speaker in the chair.)

Question recurring on the amendment by Mr. Moore to Section 2 of the (committee) amendment, yeas and nays were demanded.

The amendment to the (committee) amendment was adopted by the following vote:

Yeas—71.

Baker.	Clark.
Beard of Harris.	Cox.
Beard of Milam.	Crudgington.
Bedell.	Davis of Dallas.
Bell.	Davis of Grimes.
Bertram.	De Bogory.
Blackmon.	Denton.
Blalock.	Dodd.
Boner.	Dudley.
Cadenhead.	Fairchild.

Fitzpatrick.
Florer.
Fly.
Haidusek.
Hawkins.
Hudspeth.
Johnson.
Lacey.
Lanier.
McComb.
McDowra.
McMillin.
Meador.
Metcalf.
Moore.
Morris.
Murrell.
Neeley.
Neill.
O'Banion.
O'Brien.
Peddy.
Poage.
Pope.
Raiden.
Reeves.
Richards.

Rogers.
Russell.
Sentell.
Schlesinger.
Seawright.
Smith of Hopkins.
Spencer of Nolan.
Spencer of Wise.
Stewart.
Terrell.
Thomason
of El Paso.
Thomason
of Nacogdoches.
Thompson
of Hunt.
Thompson
of Red River.
Tinner.
Trayler.
Upchurch.
Veatch.
Walker.
White.
Williford.
Wilson.
Yantis.

Nays—48.

Bagby.	Low
Beasley.	of Washington.
Blackburn.	McCoy.
Bland.	Martin.
Bledsoe.	Mendell.
Brown.	Miller of Austin.
Bryan.	Miller of Dallas.
Bryant.	Monday.
Burton of Rusk.	Nichols.
Burton of Tarrant.	Nordhaus.
Butler.	Osborne.
Carlock.	Parks.
Cates.	Roemer.
Cope.	Sackett.
Dunnam.	Scholl.
Estes.	Sholars.
Fisher.	Smith of Scurry.
Greenwood.	Taylor.
Hardey.	Thomas.
Harris.	Tillotson.
Hartman.	Tschoepe.
Laas.	Valentine.
Lange.	Wahrmund.
Lee.	Williams
Lindemann.	of McLennan.
	Woods.

Present—Not Voting.

Tilson.

Absent.

Beason.	Holland.
Canales.	Laney.
Davis	Lowe
of Van Zandt.	of McMullen.
Hill.	McFarland.

Peyton.	Strayhorn.
Pillow.	Swope.
Robertson.	Templeton.
Sallas.	Williams
Schlosshan.	of Brazoria.
Spradley.	Woodul.

Absent—Excused.

Jones. Smith of Bastrop.

Reason for Vote.

Because we do not need an additional department for this work; because it properly belongs to the Agricultural Department; because it lessens the evils of appointive power; because it can be operated through this means with less expense to the tax payers of the State, and because it is carrying out one of my promises to my constituency, I vote "yea" on this amendment.

SENTELL.

Mr. O'Banion moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Pending—Consideration of Section 2 of the (committee) amendment.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 159, "An Act to appropriate out of the general revenue not heretofore appropriated the sum of \$25,000, or so much thereof as may be necessary, for the remainder of the fiscal year ending August 31, 1917, and the further sum of \$45,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1918, to defray the expenses of the Department of the State Health Officer of the State of Texas in intensive rural health work and rural sanitation leading to the prevention and eradication of malaria, hookworm, typhoid fever, and other contagious diseases in the State of Texas; authorizing the State Health Officer to supplement therefrom an amount appropriated or set aside by any county, or city or town therein, for such purposes; also authorizing the State Health Officer to accept donations from any source to supplement such fund or funds, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 15, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 14, Granting Hon. Wm. N. Bonner, judge of the Thirtieth Judicial District of Texas, leave of absence from the State during vacation of his court.

H. C. R. No. 13, Inviting all who so desire to address a joint meeting of the respective committees of the House and Senate on Friday, February 16, at 7:30 o'clock p. m., to consider House bill No. 652.

The Senate grants the request of the House for return of House bill No. 354 for correction.

The Senate has passed the following bills:

S. B. No. 34, A bill to be entitled "An Act providing a salary for district attorneys in counties having a population of more than 100,000 of \$500 and all fees, commissions and perquisites earned by such officer, and exempting such district attorney from making accounting as required by Articles 3894 to 3897, inclusive."

S. B. No. 290, A bill to be entitled "An Act to amend Section 2 of an act creating the Jourdanon Independent School District in Atascosa county, Texas, being Chapter 79 of the Thirty-second Legislature of Texas, increasing the territory of said district; to amend Section 8 of said act providing for the appointment of an assessor and collector for said district; to amend Section 23 of said act, providing for the appointment of a board of equalization, and prescribing its powers and duties; to amend Section 24 of said act regulating the time of payment of taxes, and declaring an emergency."

S. B. No. 330, A bill to be entitled "An Act to create a criminal district court for the counties of Nueces, Kleberg, Willacy and Cameron, and to prescribe the jurisdiction thereof as a criminal court; and also conferring upon said court the power to try and determine divorce suits, to fix time for holding the terms thereof, and declaring an emergency."

S. B. No. 308, A bill to be entitled "An Act creating and incorporating the Post Independent School District, in

Garza county, Texas, and declaring an emergency."

Respectfully,
JOHN D. McCALL,
Secretary of the Senate.

RECESS.

On motion of Mr. Blalock, the House, at 12:30 o'clock p. m., took recess to 7:30 o'clock p. m. today.

NIGHT SESSION.

The House met at 7:30 o'clock p. m. and was called to order by the Speaker.

HOUSE BILLS ON FIRST READING.

(By Unanimous Consent.)

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. McFarland:

H. B. No. 696, A bill to be entitled "An Act to levy and collect a gross receipts tax upon theaters, menageries, acrobatic performances, sleight of hand performances, moving picture shows, panorama or view shows; authorizing commissioners courts to levy and collect a tax equal to one-half of that levied and collected for the State; and authorizing cities and towns to levy and collect a tax equal to that levied and collected by the commissioners courts; providing for the making of reports; the time and the method of the payment of the tax; providing for a penalty; repealing Sections 13, 14, 15, 16, 17, 36 and 37 of Article 7355, Revised Civil Statutes of Texas, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Smith of Scurry:

H. B. No. 697, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to insurance, of the Revised Civil Statutes of 1911, of the State of Texas."

Referred to Committee on Insurance.

By Mr. Carlock (by request):

H. B. No. 698, A bill to be entitled "An Act to authorize and require the Railroad Commission of Texas to ascertain and find the cost of transportation and handling of freight traffic within this State upon each of the railroads operating within this State by

operating divisions thereof and between such other points upon such lines of railroad as the Commission may deem necessary, and ascertain and find the cost per unit of traffic and service per ton mile, per carload, per car mile, or other unit of traffic or service over each operating division of each of such railroads and between other points thereon, and to require the keeping of such accounts and statistics by such railroads and report thereof to the Railroad Commission of Texas as it may deem necessary, and that the Commission make its findings of the cost and unit cost of service in the transportation and handling of freight, place same of record and cause same to be printed; and that such findings be prima facie evidence of the facts and conclusions therein stated; and that the Commission require railroads without this State which control railroads within this State and the operation thereof by virtue of stock ownership or otherwise to make to the Railroad Commission of Texas all such reports and data pertaining to the cost of service, earnings, profits or divisions of rates or earnings and the rules and regulations pertaining to traffic, as may, in the judgment of the Commission, aid it in carrying out the purposes and provisions of this act or any of the other duties and powers of the Commission as provided by law; and to provide penalties for failure or refusal to comply with the orders of the Commission under this act, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Davis of Grimes:

H. B. No. 699, A bill to be entitled "An Act to amend Article 735, Chapter 4, Title 12, of the Revised Criminal Statutes of 1911 of the State of Texas, relating to commercial feeding stuff, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Clark:

H. B. No. 700, A bill to be entitled "An Act creating the Docum and Miller Common County Line School District, containing territory in Erath and Comanche counties, Texas, including the territory of the school districts known as Miller and Docum Common School Districts of Comanche and Erath counties, respectively; placing said common county line school districts under the jurisdiction of Comanche county, to be known as Common School District No. 110 of said county; a board of trustees therefor; vesting said district and board of trus-

tees with all the rights, powers, privileges and duties conferred and imposed on common school districts and boards of trustees thereof, etc., and declaring an emergency."

Referred to Committee on Education.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 34, to the Judiciary Committee.

Senate bill No. 290, to the Committee on Education.

Senate bill No. 308, to the Committee on Education.

Senate bill No. 330, to the Committee on Judicial Districts.

HOUSE BILL NO. 115 ON ENGROSSMENT.

(Pending Business.)

The House resumed consideration of pending business, same being House bill No. 115, relating to a warehouse and marketing system, on its passage to engrossment; with (committee) amendments offered by Mr. Tillotson pending; the House considering the (committee) amendment (1) section by section, and Section 2 of the (committee) amendment being under consideration.

Section 2 of the (committee) amendment as amended was then adopted.

Mr. Rogers moved that further consideration of the bill be postponed until tomorrow, and the motion was lost.

Section 3 of the (committee) amendment was read and was adopted.

Section 4 of the (committee) amendment was read.

Mr. Beard of Harris offered the following amendment to this section of the (committee) amendment:

Amend Section 4, lines 36 and 37, by substituting "Commissioner of Agriculture" where "Superintendent of Warehouses" appears.

The amendment to the (committee) amendment was adopted.

Section 4 of the (committee) amendment as amended was then adopted.

Section 5 of the (committee) amendment was read and adopted.

(Mr. Mendell in the chair.)

Sections 6 and 7 of the (committee) amendment were severally read and adopted.

Section 8 of the (committee) amendment was read.

Mr. Sentell offered the following amendment to this section of the (committee) amendment:

Amend Committee Substitute for House bill No. 115, Section 8, page 6, line 4, by inserting after the word "loan" the words "to any person," and Section 8, page 6, line 5, by inserting after the word "warehouse" the words, "by such person."

The amendment to the (committee) amendment was adopted.

Section 8 of the (committee) amendment as amended was then adopted.

Section 9 of the (committee) amendment was read and adopted.

Mr. Moore moved that further consideration of the (committee) amendment section by section be discontinued down to Section 18.

The motion prevailed.

Section 18 of the (committee) amendment was read.

Mr. O'Brien offered the following amendment to this section of the (committee) amendment:

Amend House bill No. 115, page 12, line 2, by inserting after the first word "cotton" the words, "and other agricultural products," and strike out the second word "cotton" in said line and insert in lieu thereof the word "same."

The amendment to the (committee) amendment was adopted.

Mr. Williford offered the following amendment to this section of the (committee) amendment:

Amend House bill No. 115, page 12, printed bill, by adding after the word "therefor," Section 18, line 5, the following: "Provided, that this act shall not repeal or affect the landlord's lien as now provided for in Title 80, Chapter 1, of the Revised Statutes of Texas, 1911, and in Acts of the Thirty-fourth Legislature of the State of Texas, Chapter 38."

The amendment to the (committee) amendment was adopted.

Section 18 of the (committee) amendment as amended was then adopted.

Section 19 of the (committee) amendment was read.

Mr. O'Banion offered the following amendment to this section of the (committee) amendment:

Amend Section 19, page 12, line 21, by inserting after the word "therefor," where it first occurs in said line, the word "upon."

The amendment to the (committee) amendment was adopted.

Section 19 of the (committee) amendment as amended was then adopted.

Section 20 of the (committee) amendment was read and was adopted.

Section 21 of the (committee) amendment was read.

Mr. Sackett offered the following amendment to this section of the (committee) amendment:

Amend Committee Substitute to House bill No. 115 as follows: Page 14, Section 21, line 11, strike out the word "when" and substitute therefor the word "unless," and after the word "requested" add or insert the word "not."

On motion of Mr. Cadenhead, the amendment to the (committee) amendment was tabled.

Section 21 of the (committee) amendment was then adopted.

Section 22 of the (committee) amendment was read.

Mr. Moore offered the following amendment to this section of the (committee) amendment:

Amend House bill No. 115, page 14, by striking out all of Section 22.

The amendment to the (committee) amendment was adopted.

Section 23 of the (committee) amendment was read.

Mr. McDowra offered the following amendment to this section of the (committee) amendment:

Amend House bill No. 115, Section 23, line 17, by striking out the words "fixing a reasonable minimum compensation for ginning."

On motion of Mr. Miller of Dallas, the amendment to the (committee) amendment was tabled.

Mr. Bertram offered the following amendment to this section of the (committee) amendment:

Amend by striking out all of Section 23 of bill 115 on page 15.

On motion of Mr. Miller of Dallas, the amendment to the (committee) amendment was tabled.

Mr. Sentell offered the following amendment to this section of the (committee) amendment:

Amend Section 23, line 17, by inserting after the word "minimum" the words "and maximum," and by adding the letter "s" to the word "compensation."

The amendment to the (committee) amendment was lost.

Mr. Osborne offered the following

amendment to this section of the (committee) amendment:

Amend (committee) amendment to House bill No. 115, Section 23, line 19, by adding after the word "extortion" the following: "Provided, a petition to such effect signed by a majority of the legal voters of any county shall be first presented to such commissioner requesting such action on his part."

On motion of Mr. Cadenhead, the amendment to the (committee) amendment was tabled.

(Speaker in the chair.)

Mr. Sentell moved the previous question on this section of the (committee) amendment and the main question was ordered.

Question then recurring on the adoption of Section 23 of (committee) amendment, yeas and nays were demanded.

The House refused to adopt this section of the (committee) amendment by the following vote:

Yeas—47.

Beard of Milam.	Moore.
Bedell.	Neill.
Bell.	O'Banion.
Blalock.	O'Brien.
Bland.	Poage.
Boner.	Raiden.
Burton of Rusk.	Sackett.
Cadenhead.	Sentell.
Carlock.	Schlesinger.
Clark.	Scholl.
Cope.	Taylor.
Davis of Dallas.	Thomas.
Davis	Thomason
of Van Zandt.	of Nacogdoches.
Denton.	Tillotson.
Estes.	Tinner.
Harris.	Tschoepe.
Hudspeth.	Upchurch.
Johnson.	Veatch.
Laas.	Walker.
Lange.	White.
Lee.	Williams
Meador.	of Brazoria.
Miller of Austin.	Wilson.
Miller of Dallas.	Yantis.

Nays—62.

Bagby.	Canales.
Baker.	Cates.
Beasley.	Cox.
Bertram.	Crudgington.
Blackburn.	De Bogory.
Blackmon.	Dodd.
Bledsoe.	Dudley.
Brown.	Dunnam.
Bryan.	Fairchild.
Butler.	Fisher.

Florer.	Richards.
Fly.	Russell.
Haidusek.	Seawright.
Hawkins.	Smith of Bastrop.
Holland.	Smith of Hopkins.
Jones.	Smith of Scurry.
Lindemann.	Spencer of Nolan.
Low.	Spencer of Wise.
of Washington.	Stewart.
McComb.	Swope.
McDowra.	Templeton.
McMillin.	Thomason.
Mendell.	of El Paso.
Metcalfe.	Thompson.
Monday.	of Red River.
Morris.	Tilson.
Murrell.	Trayler.
Neeley.	Valentine.
Osborne.	Williams.
Parks.	of McLennan.
Peddy.	Williford.
Peyton.	Woods.
Pillow.	Woodul.

Present—Not Voting.

Pope.

Absent.

Beard of Harris.	Martin.
Beason.	Nichols.
Bryant.	Nordhaus.
Burton of Tarrant.	Reeves.
Fitzpatrick.	Robertson.
Greenwood.	Roemer.
Hardey.	Rogers.
Hartman.	Sallas.
Hill.	Schlosshan.
Lacey.	Sholars.
Laney.	Spradley.
Lanier.	Strayhorn.
Lowe.	Terrell.
of McMullen.	Thompson.
McCoy.	of Hunt.
McFarland.	Wahrmund.

Absent—Excused.

Davis of Grimes.

Mr. McDowra moved to reconsider the vote by which the House refused to adopt this section and to table the motion to reconsider.

The motion to table prevailed.

ADJOURNMENT.

On motion of Mr. Metcalfe, the House, at 10 o'clock p. m., adjourned until 9:30 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF COMMITTEE ON APPROPRIATIONS.

Committee Room,

Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House bill No. 118, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments. Mr. Thomas has been appointed to make a full report thereon. Mr. Mendell gave notice of minority report.

PEYTON, Chairman.

REPORTS OF COMMITTEE ON CRIMINAL JURISPRUDENCE.

Committee Room,

Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 649, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass. WILLIAMS of McLennan, Chairman.

Committee Room,

Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 587, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass. WILLIAMS of McLennan, Chairman.

Committee Room,

Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 657, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Beard has been appointed to make a full report thereon.

WILLIAMS of McLennan, Chairman.

Committee Room,
Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 666, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Fisher has been appointed to make a full report thereon.

WILLIAMS of McLennan, Chairman.

REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

Committee Room,
Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Municipal Corporations, to whom was referred House bill No. 547, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Nichols has been appointed to make a full report thereon.

MENDELL, Chairman.

REPORT OF COMMITTEE ON EDUCATION.

Committee Room,
Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No. 153, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

REPORTS OF COMMITTEE ON GAME AND FISHERIES.

Committee Room,
Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Game and Fisheries, to whom was referred House bill No. 655, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

BAKER, Chairman.

Committee Room,
Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Game and Fisheries, to whom was referred House bill No. 619, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

BAKER, Chairman.

REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

Committee Room,
Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 453, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments. Mr. Sallas has been appointed to make a full report thereon.

NEILL, Chairman.

Committee Room,
Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 646, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Thompson of Red River has been appointed to make a full report thereon.

NEILL, Chairman.

REPORT OF COMMITTEE ON STATE AFFAIRS.

Committee Room,
Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 526, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendments. Mr. Tinner has been appointed to make a full report thereon.

WOODUL, Chairman.

Committee Room,
Austin, Texas, February 13, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 623, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Tinner has been appointed to make a full report thereon.

WOODUL, Chairman.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 352, A bill to be entitled "An Act to further regulate the organization, supervision and control of State banks and banks and trust companies incorporated under the general banking laws of the State of Texas; providing that amendments to charters of such corporations shall be filed in the office of the Commissioner of Insurance and Banking, and fixing fees for such service; providing an additional method for the qualification of directors of such corporations by requiring such directors to take an oath defined therein, declaring it shall not be necessary to amend the charter of a banking corporation in order to increase or decrease its number of directors, and providing the method for such increase or decrease; making it an offense for any officer, director or employe of any State bank or banking corporation to demand or receive any consideration or commission on account of any loan or extension of credit made by such corporation; defining such an offense and describing the punishment therefor; amending Article 463 of the Revised Statutes of Texas, 1911, and prescribing certain duties of the Commissioner of Insurance and Banking in publishing the notice and advertisement calling on persons who have claims against a bank which has been placed in his hands to present the same within ninety days, and defining and describing the duties of the Commissioner with reference to such matters; fixing the salaries of the bank examiners and regulating their ex-

penses; authorizing the Commissioner to classify the examiners on his force in accordance with years of service; authorizing the Commissioner of Insurance and Banking to designate any one of his examiners as general liquidating agent for the purpose of liquidating banks in the process of liquidation in this State; describing the duties of such general liquidating agent and the Commissioner with reference thereto; fixing an additional salary of five hundred dollars per year for such general liquidating agent, and authorizing the Commissioner to assess the salary of the general liquidating agent proportionately against the banks being liquidated by him; amending Revised Statutes of Texas, 1911, Article 574, so as to require all officers and employes of such banks who are active in the discharge of their duties or draw salaries to give bond; defining the terms of the bond; requiring same to be filed with the Commissioner of Insurance and Banking, and regulating the form and provisions of said bond; amending Section 8, Chapter 3, of the General Laws passed by the Third Called Session of the Thirty-third Legislature, fixing the amount of indebtedness which any one individual, corporation, company or firm may owe to any bank incorporated under the general banking laws of this State; providing exceptions to the general provisions of the act; repealing all laws in conflict with this act, and declaring an emergency."

And find the same correctly engrossed.

DENTON, Chairman.

Committee Room,
Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 500, A bill to be entitled "An Act to amend Articles 5305 and 5310 of the Revised Civil Statutes of 1911, so as to provide that the county surveyors shall file with the county clerk a certified copy of the field notes of all surveys made by them or their deputies; prescribing the time within which the same must be filed; providing for the record of such field notes by the county clerk, and fixing a fee therefor; providing that commissioners courts shall furnish to the county clerk the necessary books for such recording; repealing Article 5307, Revised Statutes of 1911, and declaring an emergency."

H. B. No. 544, A bill to be entitled "An Act to amend Article 984 of the Revised Civil Statutes of Texas of 1911, so as to authorize cities and towns to require the filling up, draining and regulating of any lot or lots, grounds or yards, or other places in the city or town which shall be unwholesome, or have stagnant water therein or from any other cause be in such condition as to be liable to produce disease; to cause or make inspection of all premises and to impose fine on the owners of houses under which stagnant water may be found or upon whose premises stagnant water may be found, and to pass such ordinances as they may deem necessary for the purposes aforesaid, and making, filling up, altering or repairing of all sinks and privies, and directing the mode and material for constructing them in the future, and for cleansing and disinfecting the same; and for cleansing of houses, buildings, yards or grounds of filth, carrion or impure or unwholesome matter of any kind, and to punish the owner or occupant violating the provisions of any ordinance so passed as aforesaid; and providing for the removal of weeds, rubbish, brush, etc., from lots, and empowering the city or town council, city commissioners, or other governing body of such city or town to make or cause such improvements to be made at the expense of the city on account of the owners, and to cause the expense of such improvements or work to be assessed on the real estate, or lot or lots for or upon which work is done or improvements are made; and making provisions for notice to owners, and providing that a lien may be fixed upon such lot or lots, etc., for the improvement made, or caused to be made by the city or town, or for the work done, and also providing how the amounts expended in such improvements or work may be fixed, and providing for suit and foreclosure of the lien so given and the rate of interest to be paid on amounts so expended, repeating all laws in conflict herewith, and declaring an emergency."

H. B. No. 228, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same, and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties, and provide for the salaries of the members of said faculty."

H. B. No. 551, A bill to be entitled "An Act to amend Chapter 3, Title 124, of the Revised Civil Statutes of 1911, so as to take the counties of Wharton, Fort Bend, Matagorda and Brazoria from the counties exempted by Article 7184 of said act, and place said counties under the provisions of said Title 124, Chapter 3."

And find them correctly engrossed.
DENTON, Chairman.

Committee Room,

Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared,

H. B. No. 50, A bill to be entitled "An Act to establish and create a criminal district court for Tarrant county; to provide for the jurisdiction of, and procedure in, said court; to fix the time for holding the terms of said court; to provide for the appointment, election, qualification, duties, powers, and compensation of a judge of said court; depriving and divesting the district courts of Tarrant county of jurisdiction of all criminal cases; providing from and after the taking effect of this act for the transfer of all criminal cases from the district courts of the Seventeenth, Forty-eighth and Sixty-seventh Judicial Districts of Tarrant county to the criminal district court of Tarrant county created by this act; providing that the county attorney, the sheriff, and the clerk of the district court of Tarrant county shall be the county attorney, sheriff and clerk of the district court, respectively, of the court created by this act, under the same rules and regulations as are now or may hereafter be prescribed by law for the government of such officials; providing for the fees to be received by such officers and such services; and repealing all laws and parts of laws in conflict with this act; and declaring an emergency."

H. B. No. 598, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas at Stephenville, in Erath county, Texas, to be known as the John Tarleton Agricultural College; providing for the government and control of said institution, providing for the acceptance of donations of lands, buildings and money offered by the citizens of Stephenville and Erath county; providing for a students' loan fund, and defining the lead-

ing objects and prescribing generally the nature and scope of instruction to be given in said college, and conferring upon the board of directors of said college the right of eminent domain, and declaring an emergency."

H. B. No. 501, A bill to be entitled "An Act to make appropriation to cover the cost of permanent building and equipment of same for the use of the Texas State Quarantine Service at Sabine, Texas, and declaring an emergency."

H. B. No. 268, A bill to be entitled "An Act to aid the city of Paris and Lamar county in the re-establishment and rebuilding permanent public improvements by donating and granting to them the State ad valorem and a part of the poll taxes and occupation taxes collected on property and from persons in said county of Lamar for a period of five years, and to provide a penalty for their misapplication."

H. B. No. 200, A bill to be entitled "An Act to amend Article 2308, Chapter 5, Title 41, Revised Civil Statutes of Texas, 1911, relating to venue of suits in justice courts, by adding thereto at the end of Subdivision 4 thereof, 'Providing that in all suits to recover for labor performed or any kind of personal service rendered may, at the option of plaintiff, be brought and maintained where such labor is performed or personal service rendered,' and declaring an emergency."

H. B. No. 77, A bill to be entitled "An Act to authorize the Supreme Court to prescribe forms and rules and generally to regulate pleading, practice and procedure in the courts of the State of Texas, and providing that as such rules are promulgated, all laws in conflict therewith shall be of no further force or effect."

And find them correctly engrossed,
RUSSELL, Vice-Chairman.

Committee Room,

Austin, Texas, February 14, 1917.

Hon. F. O. Fuller, Speaker of the House
of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 419, A bill to be entitled "An Act to establish standard containers and standard grades and packs for fruits and vegetables grown in this State for the markets; to prescribe dimensions and cubical contents of such containers; to require the manufacturers of such containers to conform to the standards herein prescribed; to define the different grades and packs as applied to different kinds of fruits and vegetables; to authorize the Commissioner of Agriculture of this State to promulgate and publish said standard for the information of the public, and promulgate standards of containers, grades, and packs, in conformity with those hereafter established by the Secretary of Agriculture of the United States, and to promulgate such other standards of containers, grades and packs as in his judgment are expedient and to the best interests of the fruit and truck growers of the State; providing for supervision of the grading and packing of fruits and vegetables through State inspectors to be appointed by the Commissioner of Agriculture; empowering the Commissioner of Agriculture to enforce the provisions of this act; prescribing penalties for its violation, and declaring an emergency."

H. B. No. 173, A bill to be entitled "An Act declaring it to be unlawful for any railway company, or receiver thereof, or any other common carrier, to confiscate or otherwise convert to its, or their own use any article of freight received by it, or them, for transportation and delivery; providing penalties therefor in favor of the State of Texas and in favor of the owner or consignee of such article; providing that the terms of this act are cumulative of all other laws upon the subject, and declaring an emergency."

And find them correctly engrossed.

RUSSELL, Vice-Chairman.

Honoring Crew of Battleship Maine.

Mr. Lange offered the following resolution:

Whereas, This day being the nineteenth anniversary of the sinking of the United States Battleship Maine in the harbor of Havana; and

Whereas, A number of our most patriotic citizens and seamen lost their lives in this unfortunate catastrophe; and

Whereas, Our Nation has honored their memory and recognized their valor in having their remains interred in the National Cemetery at Arlington;

Now, therefore, in recognition of the loss which our country sustained in the death of these valiant sailors and seamen, and in memory of the patriotic service which they performed; be it

Resolved, That a page of the House Journal be set apart and dedicated to their memory, and that these resolutions be spread upon the Journal of the House as an expression of our regard for their patriotism and their heroic death, and that when the House adjourns today that it adjourn out of respect for their memory.

LANGE,
DENTON,
PARKS,
TEMPLETON.

The resolution was read second time and was adopted unanimously.